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15 Attorneys for Defendant
16 **BIC USA, INC.**

17 **UNITED STATES DISTRICT COURT**
18 **SOUTHERN DISTRICT OF CALIFORNIA**

19 DONNA R. NELSON, an individual and)
20 on behalf of the general public,)
21)
22 Plaintiff,)
23)
24 vs.)
25)
26 BIC USA, INC., a Delaware corporation,)
27 and DOES 1 through 100, inclusive,)
28 Defendants.)

CASE NO.: 3:07-cv-2367

**NOTICE OF APPEARANCE OF
ATTORNEY FOR DEFENDANT
BIC USA, INC.**

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1 TO: THIS HONORABLE COURT AND TO ALL PARTIES AND THEIR
2 RESPECTIVE ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that the following attorney hereby states his
4 appearance for defendant BIC USA, INC.:

5 BENJAMIN T. MORTON (SBN 199158)
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10 Dated: December 31, 2007

GORDON & REES LLP

11
12 /S/BENJAMIN T. MORTON
13 By: Benjamin T. Morton
14 Attorneys for Defendant BIC
USA, INC.

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is: 101 W. Broadway, Suite 1600, San Diego, CA 92101. On December 31, 2007, I served the within documents:

**NOTICE OF APPEARANCE OF ATTORNEY FOR DEFENDANT
BIC USA, INC.**

<input type="checkbox"/>	by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
<input type="checkbox"/>	by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in United States mail in the State of California at San Diego, addressed as set forth below according to Fed.R.Civ.P. 4 and 5.
<input type="checkbox"/>	by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
<input type="checkbox"/>	by Federal Express. I deposited said document(s) in a box or other facility regularly maintained by the express service carrier providing Federal Express overnight delivery pursuant to Code of Civil Procedure §1013(c).
<input checked="" type="checkbox"/>	BY ELECTRONIC FILING. I caused all of the pages of the above-entitled document(s) to be electronically filed and served on designated recipients through the Electronic Case Filing system for the above-entitled case. The file transmission was reported as successful and a copy of the Electronic Case Filing Receipt will be maintained with the original document(s) in our office.

John H. Donboli
 Sean Slattery
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Attorneys For Plaintiffs

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on December 31, 2007, at San Diego, California.

/s/ Brandy L. Ellis

Brandy L. Ellis